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9 Attorneys for Plaintiff
10 IRONCLAD PERFORMANCE
11 WEAR CORPORATION

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 IRONCLAD PERFORMANCE WEAR
15 CORPORATION, a California
16 corporation,

17 Plaintiff,

18 vs.

19 MECHANIX WEAR, INC., a California
20 corporation,

21 Defendants.

Case No.

CV11-05559 GW(CWx)

**COMPLAINT FOR
INFRINGEMENT OF U.S.
PATENT NO. 7,287,285**

[Demand for Jury Trial]

22 For its complaint against MEXHANIX WEAR, INC., a California
23 corporation, Plaintiff IRONCLAD PERFORMANCE WEAR CORPORATION, a
24 California corporation, alleges as follows:
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27
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BY:

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

11 JUL -6 PM 2:31

FILED

Kneafsey & Friend LLP
800 Wilshire Blvd, Suite 710
Los Angeles, California 90017

JURISDICTION AND VENUE

1. This is a civil action arising in part under laws of the United States relating to patents (35 U.S.C. §§ 271, 281, 283, 284, and 285). This Court has federal jurisdiction of such federal question claims pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2. The acts and transactions complained of herein were conceived, carried out, made effective, and had effect within the State of California and within this district, among other places. Venue is proper under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(a), because Plaintiff is informed and believes that Defendants have committed acts of infringement in the County of Los Angeles.

THE PARTIES

3. Plaintiff IRONCLAD PERFORMANCE WEAR CORPORATION (“Ironclad”), is a corporation duly organized and existing under the laws of the State of California with its principal place of 2201 Park Place, Suite 101, El Segundo, CA 90245.

4. Plaintiff is informed and believes that Defendant MECHANIX WEAR, INC. (“Mechanix”) is a corporation organized and existing under the laws of the State of California with a principal place of business of 28525 Witherspoon Parkway, Valencia, CA 91355.

CLAIM FOR RELIEF

INFRINGEMENT OF U.S. PATENT NO. 7,287,285

5. Plaintiff Ironclad incorporates by reference the preceding allegations of this Complaint as though fully set forth herein.

6. Plaintiff Ironclad is the owner, by assignment, of U.S. Patent No. 7,287,285 (the ‘285 Patent’) entitled “Glove Construction Wherein Palm Material Rolls Over Fingertip.” A copy of the ‘285 Patent is attached hereto as Exhibit 1.

7. Defendant Mechanix has infringed and continues to infringe the ‘285 Patent by making, using, selling, or offering to sell in the United States the Utility

1 Pro Glove. A photograph of this infringing product is attached as Exhibit 2.
2 Plaintiff is informed and believes that in addition to directly infringing the '285
3 Patent, Mechanix has contributed to the infringement and/or induced others to
4 infringe the '285 Patent.

5 8. As a direct and proximate result of Defendants' infringement,
6 contributory infringement and/or inducement to infringe the '285 Patent, Plaintiff
7 has been and continues to be damaged in an amount to be proven at trial.

8 9. Defendants' infringement is ongoing and has caused, and, unless
9 enjoined and restrained by this Court, will continue to cause Plaintiff great and
10 irreparable injury to, among other things, Plaintiff's good will, business reputation,
11 and market share. Plaintiff is therefore entitled to injunctive relief enjoining and
12 restraining Defendants, and their respective officers, agents, servants, and
13 employees, and all persons acting in concert with them, and each of them, from
14 further infringement of the '285 Patent.

15 **PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 17 (1) For a judicial determination and declaration that Defendants have
18 infringed the '285 Patent;
19 (2) For a judicial determination and decree that Defendants' infringement
20 of the '285 Patent has been willful;
21 (3) For damages resulting from Defendants' infringement of the '285
22 Patent, and the trebling of such damages because of the willful and
23 deliberate nature of Defendants' infringement;
24 (4) For injunctive relief enjoining against further infringement of the '285
25 Patent by Defendants, their officers, directors, shareholders, agents,
26 servants, employees, and all other entities and individuals acting in
27 concert with them or on their behalf;
28 (5) For an assessment of prejudgment interest on damages;

- 1 (6) For a declaration that this is an exceptional case under 35 U.S.C.
2 Section 285 and for an award of attorneys' fees and costs in this action;
3 (7) For such other and further relief as the Court deems just and equitable.
4

5 DATED: July 6, 2011

KNEAFSEY & FRIEND LLP

6
7
8 By 

Sean M. Kneafsey

Attorneys for Plaintiff, IRONCLAD
PERFORMANCE WEAR CORPORATION
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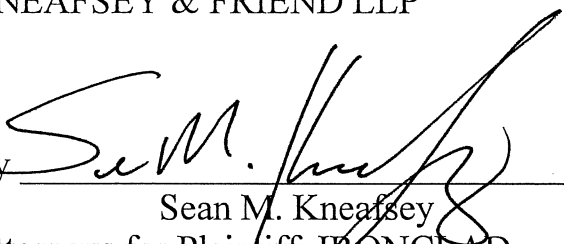
Kneafsey & Friend LLP
800 Wilshire Blvd, Suite 710
Los Angeles, California 90017

DEMAND FOR JURY TRIAL

Plaintiffs hereby demands a trial by jury of any issue triable by right of a jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

DATED: July 6, 2011

KNEAFSEY & FRIEND LLP

By 
Sean M. Kneafsey
Attorneys for Plaintiff, IRONCLAD
PERFORMANCE WEAR CORPORATION

Kneafsey & Friend LLP
800 Wilshire Blvd, Suite 710
Los Angeles, California 90017

EXHIBIT 1



US007287285B2

(12) **United States Patent**
Jaeger et al.

(10) **Patent No.:** **US 7,287,285 B2**

(45) **Date of Patent:** ***Oct. 30, 2007**

(54) **GLOVE CONSTRUCTION WHEREIN PALM MATERIAL ROLLS OVER FINGERTIP**

(76) Inventors: **Eric M. Jaeger**, 425 20th St.,
Manhattan Beach, CA (US) 90266;
Eduard A. Jaeger, 443 Concord St., El
Segundo, CA (US) 90245

(*) **Notice:** Subject to any disclaimer, the term of this
patent is extended or adjusted under 35
U.S.C. 154(b) by 23 days.

This patent is subject to a terminal dis-
claimer.

745,088 A *	11/1903	Winkler	2/163
1,239,255 A *	9/1917	Burroughs	2/163
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7,100,212 B2 *	9/2006	Jaeger	2/161.1
2004/0025226 A1 *	2/2004	Jaeger	2/161.6
2004/0025227 A1 *	2/2004	Jaeger	2/161.6

OTHER PUBLICATIONS

(21) Appl. No.: 10/459,774

www.iclad.com-assignee and inventor's website.*

(22) Filed: **Jun. 13, 2003**

* cited by examiner

(65) **Prior Publication Data**

US 2004/0250335 A1 Dec. 16, 2004

Primary Examiner—Katherine Moran

(57) **ABSTRACT**

(51) **Int. Cl.**
A41D 19/00 (2006.01)
(52) **U.S. Cl.** 2/161.1; 2/16
(58) **Field of Classification Search** 2/161.6,
2/163, 161.1, 169, 16, 20
See application file for complete search history.

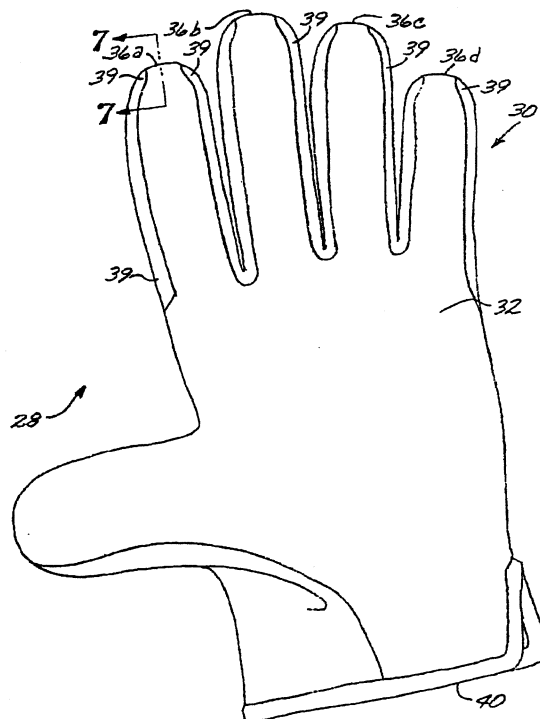
A glove structure that incorporates a palm piece having a portion that rolls over the fingertips and is sewn to the top portion of the back piece thus eliminating the conventional thick seam lines on the fingertips and resulting in a smooth seam of material over the entire fingertip and a substantial increase in finger tactility. The palm material narrows as it rolls over the fingertip and preferably has the shape of an hourglass.

(56) **References Cited**

U.S. PATENT DOCUMENTS

133,376 A * 11/1872 Mason 2/169

3 Claims, 5 Drawing Sheets

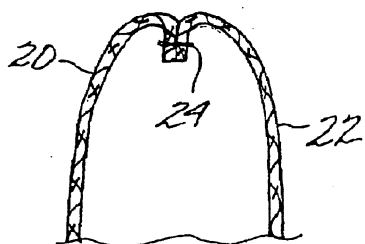
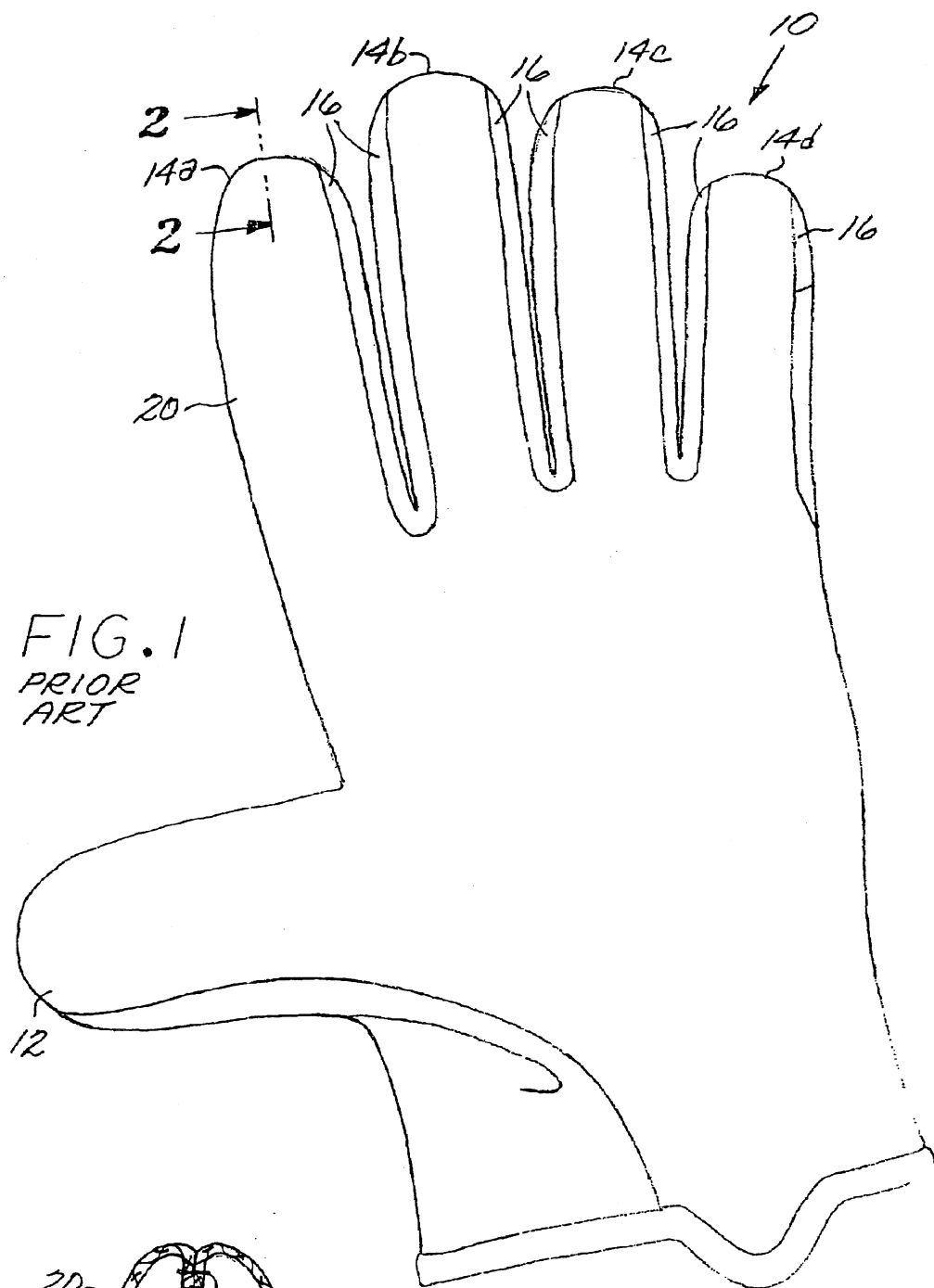


U.S. Patent

Oct. 30, 2007

Sheet 1 of 5

US 7,287,285 B2



U.S. Patent

Oct. 30, 2007

Sheet 2 of 5

US 7,287,285 B2

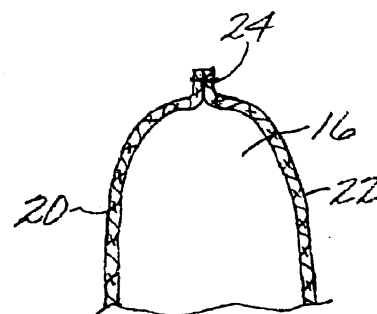
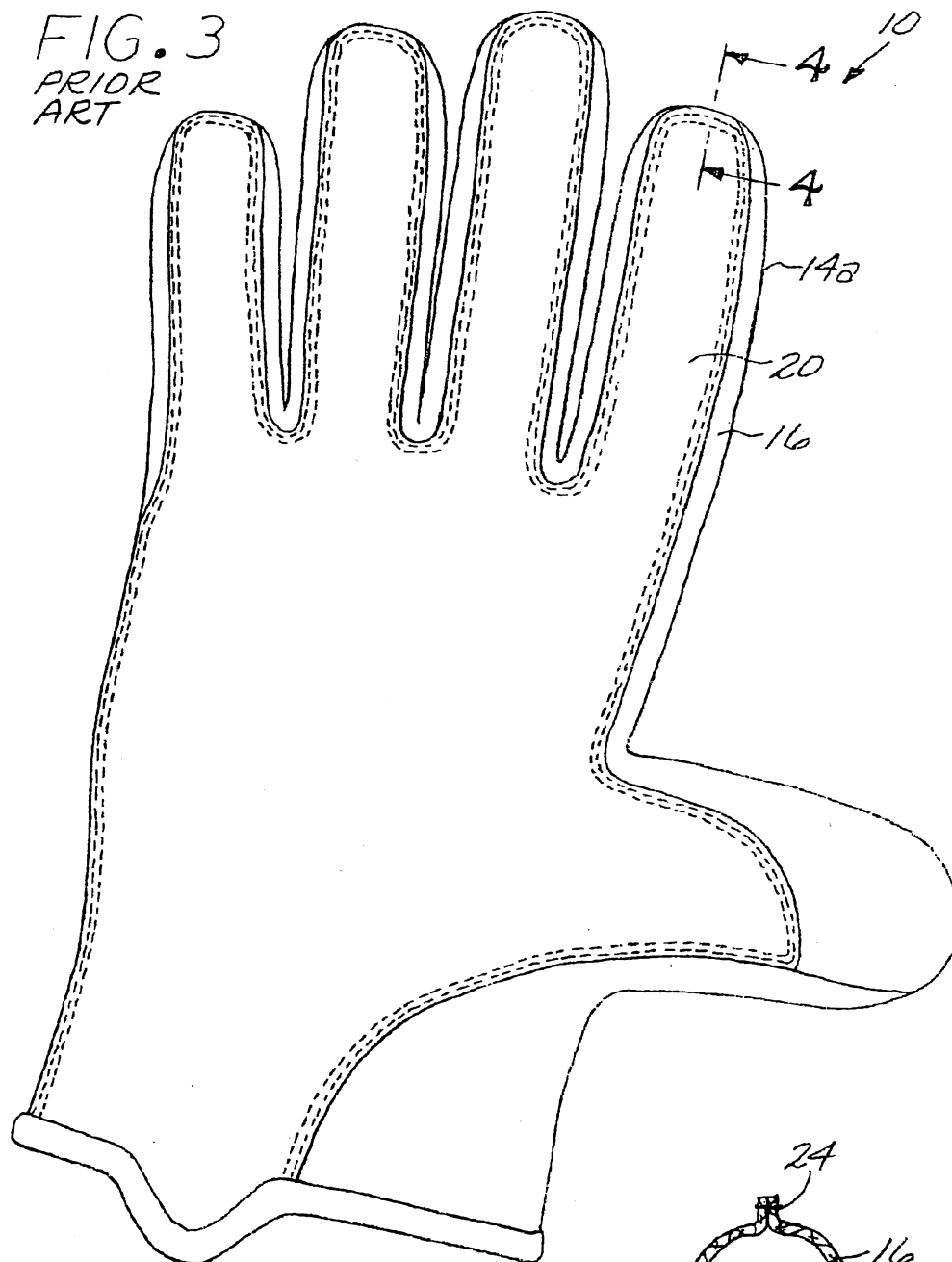


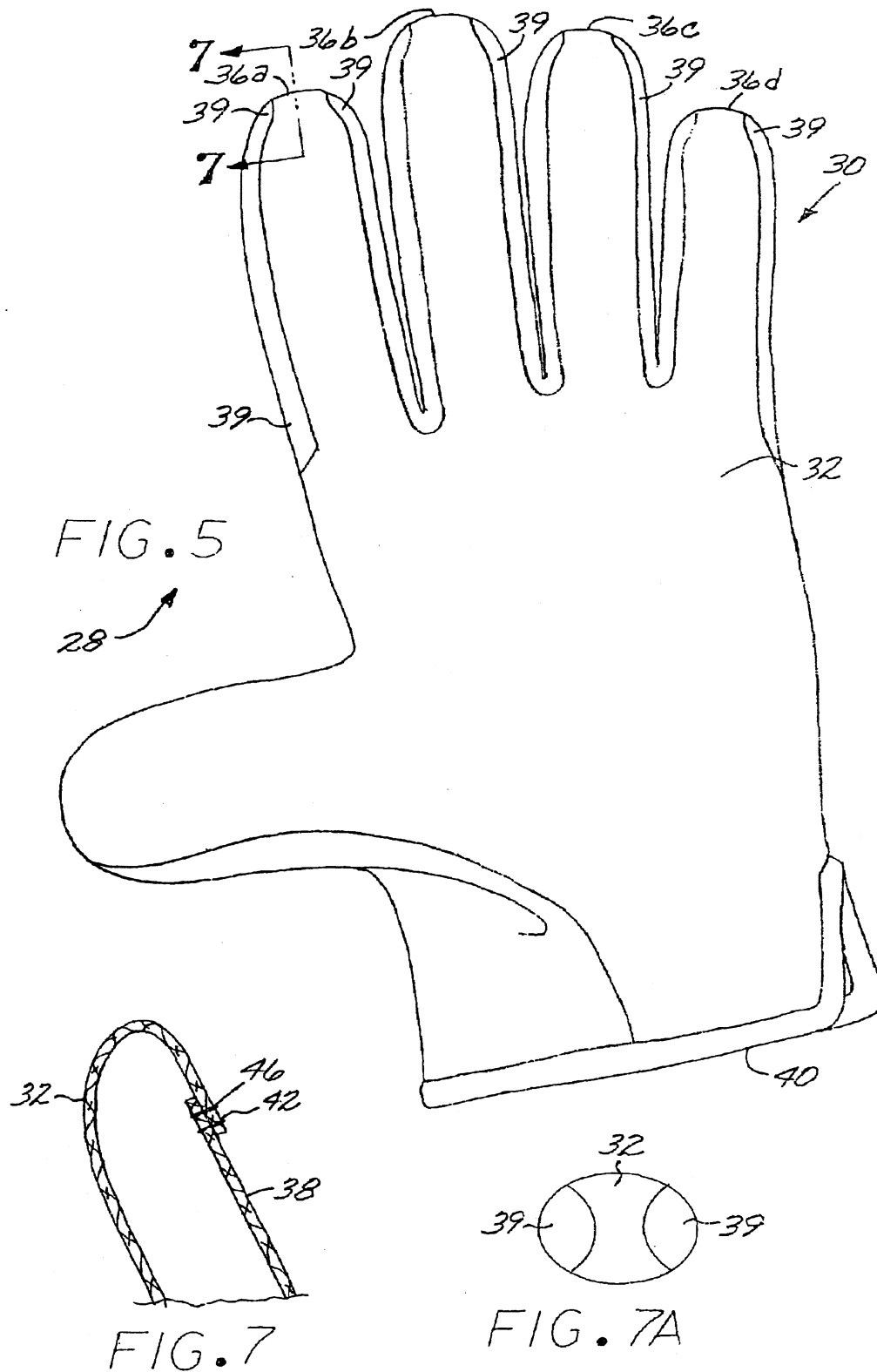
FIG. 4
PRIOR ART

U.S. Patent

Oct. 30, 2007

Sheet 3 of 5

US 7,287,285 B2



U.S. Patent

Oct. 30, 2007

Sheet 4 of 5

US 7,287,285 B2

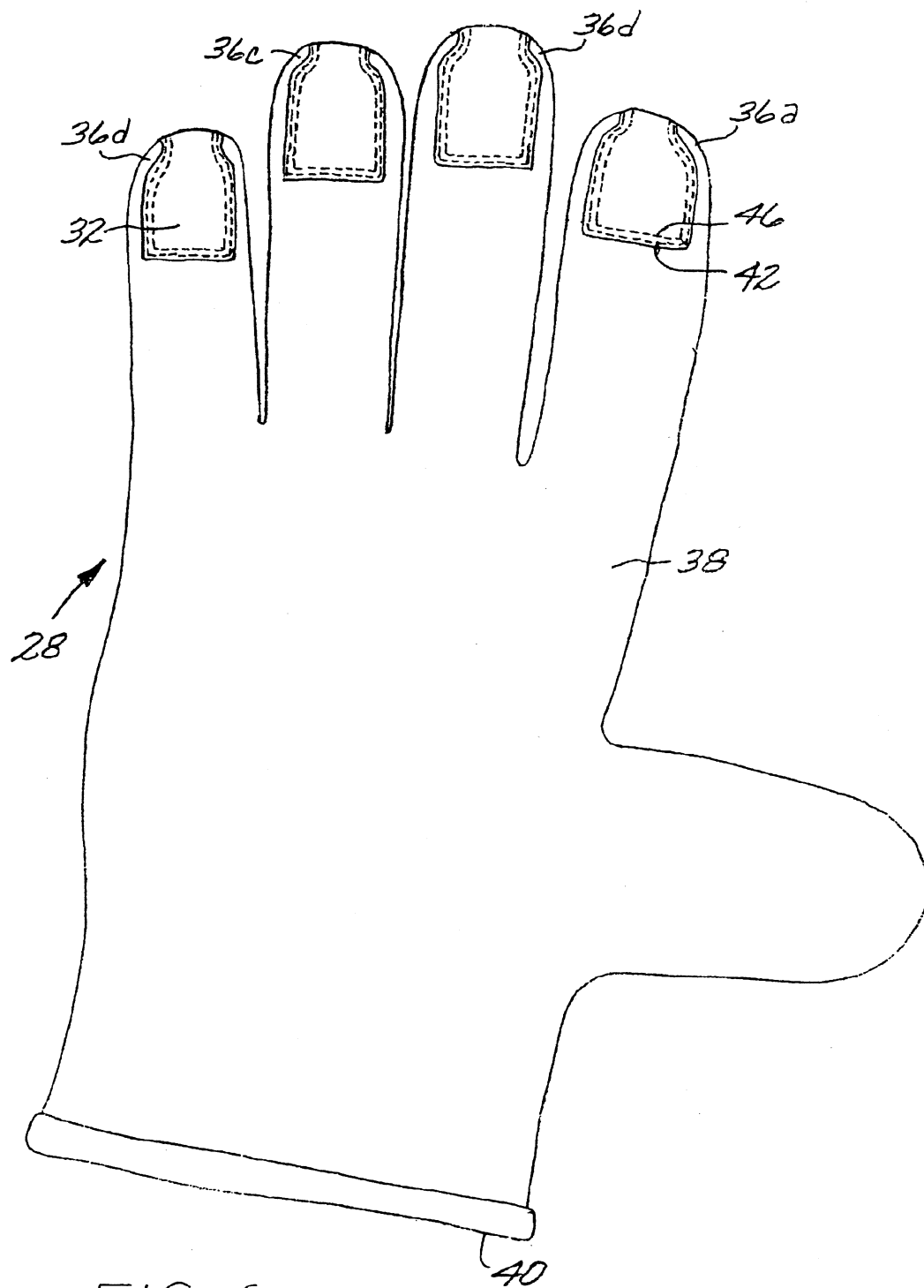


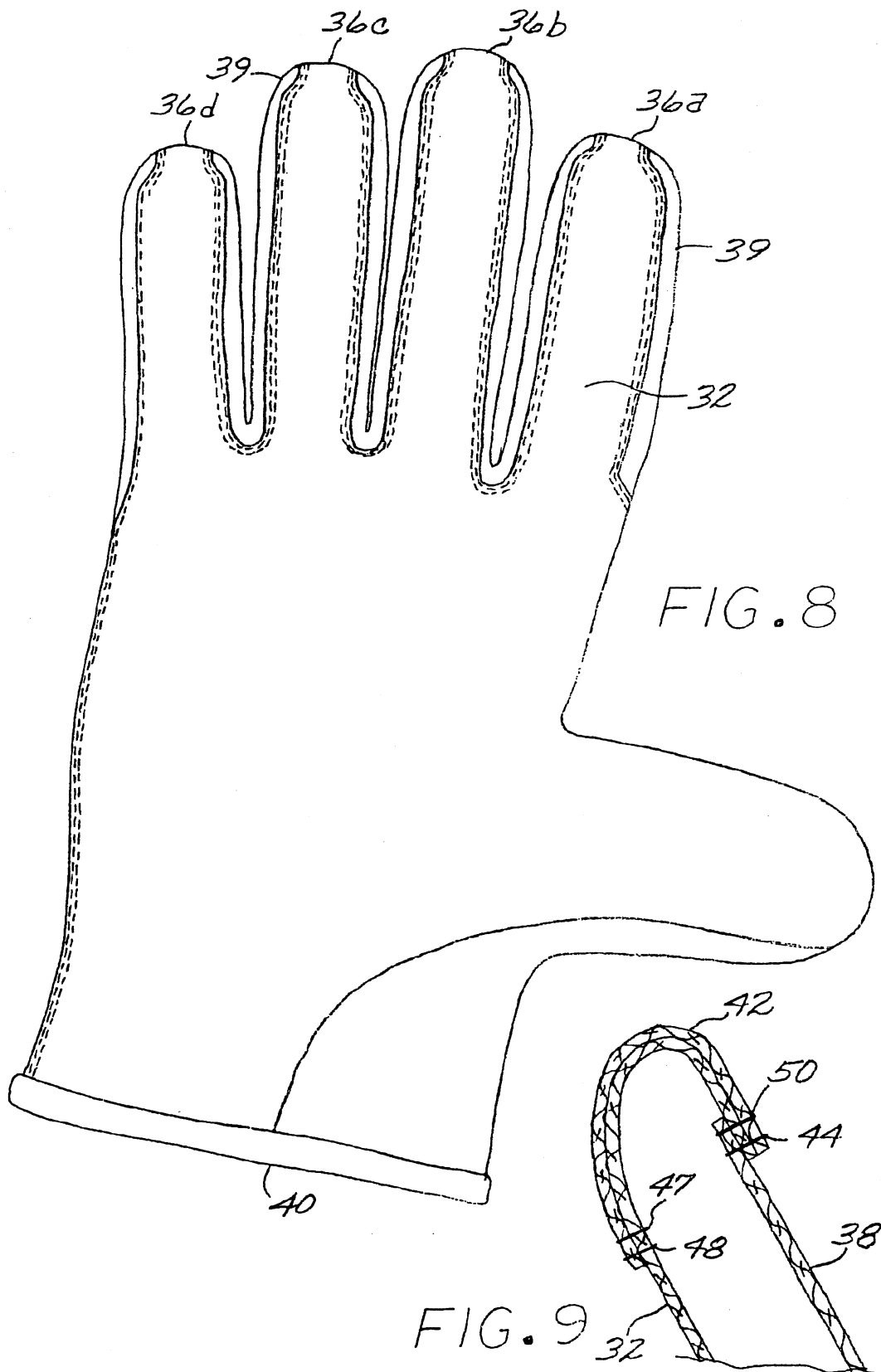
FIG. 6

U.S. Patent

Oct. 30, 2007

Sheet 5 of 5

US 7,287,285 B2



US 7,287,285 B2

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GLOVE CONSTRUCTION WHEREIN PALM MATERIAL ROLLS OVER FINGERTIP**BACKGROUND OF THE INVENTION****1. Field of the Invention**

The present invention provides an improved glove construction wherein the palm material has a portion which rolls over the fingertips.

2. Description of the Prior Art

Gloves specifically designed for use in the construction industry have been available in the prior art. For example, Ironclad Performance Wear Corp., Los Angeles, California, sells a variety of gloves having a palm piece attached to a back piece through the use of fourchettes. The glove fingers are attached to the palm and back pieces across the tips of the fingers, down the side of each finger and down through the crotch between each finger. The Ironclad gloves typically have a pattern on the palm piece to protect the user hand from strain, vibration or abrasion.

U.S. Pat. No. 5,490,290 to Gold discloses a glove structure wherein the palm piece is attached to the back piece through the use of connector strips made from stretchable elastic fabric, such as spandex.

The problems with the conventional glove design is that sensitivity is reduced as the typical glove has materials (4) coming together at one point; wearer fingernails tend to hang up on seams reducing the utility and mobility when the gloves are worn; seams in the central wear area cause the glove material wearing out; the presence of multiple materials and seams reduces wear comfort; the plural seams and materials increases the likelihood that the glove will snag on outside items such as nails and screws; and the fingernails are susceptible to damage because of the thin and lighter palm material used in conventional gloves.

Ski gloves have been available which include an inner glove portion and an outer shell glove portion which includes a palm design that wraps up and over the fingertips. This ski glove construction is not a single, fitted glove, is primarily limited to skiing and other winter sport activities and is not designed to be long lived.

The glove construction disclosed in co-pending application Ser. No. 10/215,946, filed on Aug. 10, 2002 and assigned to the assignee of the instant application overcomes the above noted disadvantages by providing a fitted glove structure that incorporates a palm piece having a molded rubber palm pattern, the palm pattern including a portion which rolls over to the back piece in a manner that increases fingertip sensitivity, increases the mobility and efficiency of the wearer, increases glove lifetime, increases wearer comfort and increases fingernail protection. The palm piece and back piece on the second, third and fourth finger are joined by fourchettes and the palm pattern is made of heat pressable rubber. A portion of the molded rubber palm pattern extends over the fingertips (except the thumb) and is sewn to the stretch nylon on the top portion of the back piece.

The glove described in the aforementioned '946 application provides a significant advance in the construction of gloves. Although the inventive concept disclosed therein is directed to fingertip roll over of the molded rubber palm pattern, it has now been recognized that the same glove construction advantage could also be adapted to the palm material itself, without the inclusion of the molded rubber palm pattern.

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SUMMARY OF THE INVENTION

The present invention provides a glove structure that incorporates a palm piece having a portion that rolls over the fingertips and is sewn to the top portion of the back piece.

The palm pattern with the roll over fingertip portion is unique in work gloves and sport gloves by eliminating the thick seam lines on the fingertips and resulting in a smooth seam of material over the entire fingertip and a substantial increase in finger tactility. This increase in tactility provides a glove that is more comfortable and more functional than available in the prior art. A user can pick up small objects such as coins, nails, screws, buttons, etc, and will also have a heightened awareness of the contact environment—smooth vs. rough, for example.

Since the palm material rolls over the distal end of the finger (i.e. the fingertip), there is no horizontal seam at the fingertip, the palm material being secured to the glove back and not at the fingertip. The palm material narrows as it rolls over the fingertip and preferably, has the shape is that of an hourglass. This narrowed shape enables the fourchettes at the finger sides to be more rounded in shape, the glove fingers in turn tapering at the tip, thus providing a shape that fits the user's hands in a more natural manner.

The present invention thus provides a fitted glove configuration that increases wearer comfort and enables various types of objects to be grasped by the user while increasing glove lifetime.

DESCRIPTION OF THE DRAWINGS

For a better understanding of the present invention as well as other objects and further features thereof, reference is made to the following description which is to be read in conjunction with the accompanying drawing therein:

FIG. 1 is a view of the palm portion of a glove configuration of the prior art;

FIG. 2 is a sectional view along line 2-2 of FIG. 1;

FIG. 3 is a view of the glove configuration shown in FIG. 1 turned inside out;

FIG. 4 is a sectional view along line 4-4 of FIG. 3;

FIG. 5 is a view of the palm portion of a glove configuration of the present invention;

FIG. 6 is a view of the back piece portion of the glove configuration shown in FIG. 5;

FIG. 7 is a sectional view along line 7-7 of FIG. 5;

FIG. 7A is a top view of a glove fingertip;

FIG. 8 is a view of the glove configuration of FIG. 5 turned inside out; and

FIG. 9 illustrates a further glove configuration wherein the roll over fingertip is reinforced.

DESCRIPTION OF THE INVENTION

Referring now to FIGS. 1 and 2, a view of a typical prior art palm piece glove construction 10 is illustrated. Palm piece 10 has a thumb portion 12 and finger portions 14a, 14b, 14c and 14d and a corresponding back piece 22. Since the concept of the present invention is related to the specific construction of the glove fingertips, the discussion that follows will be directed to that portion of the glove construction. As illustrated, fourchettes 16 are typically provided on the sides of the index finger 14a, index finger 14b, ring finger 14c, and the little finger or pinkie, 14d; the palm material 20 and the back piece spandex type material 22 are sewn together by stitching 24 as shown in FIG. 2, forming

US 7,287,285 B2

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a horizontal seam at the top of the fingertip that will cause discomfort to the glove wearer.

FIGS. 3 and 4 illustrate the glove construction of FIG. 1 turned inside-out and shows palm material 20, back spandex type material 22, and fourchettes 16 sewn together by stitching 24.

Referring now to FIGS. 5, 6 and 7, the palm piece 30 and back piece 38 of a first embodiment of the glove construction of the present invention is illustrated. Palm piece 30 comprises material 32, preferably made of a synthetic suede material such as Amara, an opening 40 in the base of glove 28 to allow a wearer to insert his/her hand therein and index finger 36a, middle finger 36b, ring finger 36c and a pinkie finger 36d. The palm material 32 varies in width as it rolls over the distal end of each finger (fingertip) onto the back of the finger and is secured to the back piece 38 of glove 28 at a position spaced from the distal end of the finger by stitches 42 and 46. In particular, the shape of material 32 narrows as it goes over the fingertip and preferably has the shape of an hourglass with the narrowest part being at the top of the fingertip (FIG. 7A). The narrowing shape provided by the fourchettes 39 forces the glove fingers to be rounded on the sides which in turn causes the glove fingers to have a shape in the form of a wearer's finger/fingertip. In essence, separate strips of material forming at least one side of each finger portion is joined both to the glove back means along the length of each finger portion and joined to the love palm means along the length of each finger.

It should be noted that although only the stitching for the index finger 36a has been illustrated, the same stitching pattern is also utilized for the other fingers.

FIG. 8 shows the glove of FIG. 5 inside out and FIG. 9 illustrates how the palm piece 32 is sewn (stitched) to the back piece 38. Back piece 38 is preferably made of a flexible, stretchable material such as ribbed spandex.

FIG. 9 is illustrative of a technique for reinforcing the roll over fingertips. In particular, a reinforcement material 42, such as synthetic suede or Duraclad, a registered mark of Ironclad Performance Wear Corp., Los Angeles, Calif. for a PVC fabric and rubber coated fabric used in the manufacture of gloves, rolls over the fingertip, crossing the back piece on the top of the finger. Reinforcement material 42 is sewn to the palm material 32 at stitches 47 and 48. Thereafter, reinforcement material 42 and palm material 32 are stitched to back piece 38 at stitches 44 and 50.

To place the invention in perspective, description of the assembly of a typical prior art glove and the roll over glove as set forth herein follows.

In a conventional glove assembly, the stitching is on the inside of the glove, assembly thus being initiated inside out.

1. A glove palm is first cut from a roll of material (additional material pieces may be added);

2. A glove back is cut/assembled from materials;

3. Fourchettes (sides of fingers) are stitched to the glove back (at this point, each fourcette is stitched to the glove back along one side of the fourcette, leaving the other side free);

4. The glove palm is then stitched to the fourchettes, along their free sides, bringing the two halves together. A continuous stitch line may be employed to join all of the fingers of the palm to all of the fourchettes. As this stitch line passes around the end of each finger, it joins the glove palm material and back material together with a seam at the fingertip (these stitches occur in a flat plane, none of the turns in the stitch line making a tight 180° turn);

5. The remainder of the glove palm and back (areas other than the fingers) are stitched together.

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6. The glove is turned right-side out. The seams at the fingertips are thus pointed inward.

The roll-over finger tip assembly of the present invention is as follows (since all stitching is on the inside of the glove, assembly occurs with the glove inside out):

1. A glove palm is cut from a roll of material (additional material pieces may be added); the design of the palm material being such that the lengths of the finger portions are significantly longer than the finger portions of the glove back material;

2. A glove back is cut/assembled from materials;

3. The glove palm and back materials are stitched together at the end of their respective finger portions. The materials join with an overlapping seam that does not point inward when the glove is turned right-side out. Because the glove palm finger lengths are longer than the glove back finger lengths, the eventual location of the fingertip will contain palm material only. The overlapping seam will be located on or behind the fingernail, laying flat against the skin.

4. A single fourcette is stitched to the palm material along one side of a finger portion. The stitch begins at the crotch of the finger. When the stitch reaches the fingertip, a sharp 180° turn is made and proceeds along the other side of the fourcette, and continues on to stitch together the same fourcette to a finger portion of the glove back material, towards the crotch of the finger. In this fashion, the stitch has gone from the plane of the glove palm to the plane of the glove back, and has reversed directions;

5. The remaining fourchettes are stitched to the palm and back materials in the same fashion, one at a time.

6. The remainder of the glove palm and back (areas other than the fingers) are stitched together;

7. The glove is turned right-side out.

As a result of this fabrication technique, there are no horizontal seams at the fingertips, avoiding the disadvantages of the conventional glove fabrication as noted hereinabove.

The main differences that result in the two procedures are summarized as follows:

In the conventional glove fabrication (1), all fourchettes are stitched to the finger portions of the glove back in one step, along one side of each fourcette; (2) all fourchettes are stitched to the glove palm in one step, typically with a single stitch line; (3) the glove palm and back materials meet at the fingertips; (4) an inward-pointing seam is formed at the fingertips; and all stitching remains in the same plane.

In the rollover design of the present invention, (1) fourchettes are attached to the glove one at a time, first to the palm material along one side and then to the back material along the other side of the same fourcette; (2) glove palm and back materials meet on the top of the finger, at or behind the fingernail, there being no seam at the fingertip; (3) the seam at the fingernail is an overlapping seam, in which the materials lay flat against each other and do not point inward; (4) when transitioning from one side of a fourcette to the other, the stitching makes a tight 180° turn into a different plane, a novel assembly step; and (5) an optional hourglass-shaped fingertip enhances the three dimensional shape of the fingertip.

The present invention thus provides an improved glove construction wherein the glove fingertips are designed to have a shape that conforms to the shape of the wearer's fingertips and wherein the conventional seam at the end of the fingertips is eliminated.

While the invention has been described with reference to its preferred embodiments, it will be understood by those

US 7,287,285 B2

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skilled in the art that various changes may be made and equivalents may be substituted for elements thereof without departing from the true spirit and scope of the invention. In addition, many modifications may be made to adapt a particular situation or material to the teachings of the invention without departing from its essential teachings.

What is claimed is:

1. A glove construction comprising:

glove back means having first and second surfaces and formed in the shape of a human hand having fingers for forming a portion of the back of the glove, said glove back means having fingers portions;

glove palm means having first and second surfaces and formed in the shape of a human hand for forming a portion of the palm of the glove; said glove palm means comprising palm material having integral pieces which form finger portions, said glove back means and said glove palm means forming a portion of the glove when joined together, said integral pieces extending over at least one of said fingertips, said extended pieces having an hourglass shape and means for securing said extended piece at a predetermined distance from said fingertip, said extended integral piece comprising a first portion having a first width at a position spaced from said fingertip on said glove palm means, a second portion having a second width, less than said first width, at said fingertip and a third portion having a third width substantially equal to said first width, at a position spaced from said fingertip on said glove back means;

separate strips of material, forming at least one side of each finger portion, joined to said glove back means along the length of each finger portion and joined to said glove palm means along the length of each finger portion; and

an opening for receiving the hand of a wearer, the hand of the wearer being in contact with the first surface of said glove back means and the first surface of said glove palm means.

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2. The glove construction of claim 1 wherein said glove back means and said glove palm means each have inner surfaces, wherein the hand of the wearer contacting said inner surfaces of said glove back means and glove palm means when inserted into said opening.

3. A glove construction comprising:

glove back means having first and second surfaces and formed in the shape of a human hand having fingers for forming a portion of the back of the glove, said glove back means having fingers portions;

glove palm means having first and second surfaces and formed in the shape of a human hand for forming a portion of the palm of the glove; said glove palm means comprising palm material having integral pieces which form finger portions, said glove back means and said glove palm means forming a portion of the glove when joined together, said integral pieces extending over at least one of said fingertips, said extended pieces having an hourglass shape, said hourglass shape having first and second portions of a first width and a third portion between said first and second portions of a second width, said second width being less than said first width;

separate strips of material, forming at least one side of each finger portion, joined to said glove back means along the length of each finger portion and joined to said glove palm means along the length of each finger portion;

an opening for receiving the hand of a wearer; and

means for securing said extended integral piece to said glove back means, the hand of the wearer being in contact with the first surface of said glove back means and the first surface of said glove palm means.

* * * * *

EXHIBIT 2



EXHIBIT 2 - PAGE 18

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge George H. Wu and the assigned discovery Magistrate Judge is Carla Woehrle.

The case number on all documents filed with the Court should read as follows:

CV11- 5559 GW (CWx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

KNEAFSEY & FRIEND LLP
 Sean M. Kneafsey (SBN 180863)
 800 Wilshire Blvd., Suite 710
 Los Angeles, CA 90017
 Tel: (213) 892-1200
 Fax: (213) 892-1208

**UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA**

IRONCLAD PERFORMANCE WEAR
 CORPORATION, a California corporation,

PLAINTIFF(S)

v.

MECHANIX WEAR, INC., a California corporation,

DEFENDANT(S).

CASE NUMBER

CV11-05559 GW(CWX)

SUMMONS

TO: DEFENDANT(S): MECHANIX WEAR, INC., a California corporation

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Sean M. Kneafsey, whose address is 800 Wilshire Blvd., Suite 710, Los Angeles, CA 90017. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Dated: JUL - 6 2011

Clerk, U.S. District Court

JULIE PRADO

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> IRONCLAD PERFORMANCE WEAR CORPORATION, a California corporation	DEFENDANTS MECHANIX WEAR, INC.
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) KNEAFSEY & FRIEND LLP, Sean M. Kneafsey 800 Wilshire Blvd., Suite 710, Los Angeles, CA 90017 (213) 892-1200	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
	PTF	DEF		PTF	DEF																				
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4																				
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify):	<input type="checkbox"/> 6 Multi-District Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge
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V. REQUESTED IN COMPLAINT: **JURY DEMAND:** ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT:** \$ To Be Determined at Trial

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Patent Infringement (35 USC sections 271, et seq.)

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: CV11-05559

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

- (a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County (IRONCLAD)	

- (b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County (MECHANIX)	

- (c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER)  Date July 6, 2011

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))